

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GREGORY B. ADAMS SR.,

Plaintiff,

vs.

STATE OF NEBRASKA, CITY OF  
LINCOLN, LINCOLN POLICE  
DEPARTMENT, LANCASTER  
COUNTY COURT, and CITY OF  
LINCOLN CITY ATTORNEY'S,

Defendants.

**4:19CV3083**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Plaintiff's third motion for an extension of time. (Filing 16) The motion will be granted only in part.

Plaintiff, a non-prisoner, filed his pro se complaint fourteen months ago, on August 19, 2019, without paying the court's \$400.00 filing and administrative fees or filing an application to proceed in forma pauperis (IFP). An IFP application was eventually filed on October 31, 2019, and was granted. The court conducted an initial review of Plaintiff's complaint and determined it is subject to dismissal under 28 U.S.C. § 1915(e)(2) for failure to state a claim upon which relief may be granted. In a memorandum and order entered on April 20, 2020, the court on its own motion gave Plaintiff 30 days to file an amended complaint.

On May 21, 2020, Plaintiff filed a motion for a 3-month extension of time, stating that he had not had access to a public law library. The motion was granted. On July 27, 2020, Plaintiff filed another motion for a 3-month extension, stating that he had lost three family members due to the Covid-19 pandemic. The second motion was also granted.

Plaintiff is now seeking a third 3-month extension, stating he needs time to look up case law. The court has been generous in granting Plaintiff's past motions, but this case this has not progressed for over a year. The court therefore will grant Plaintiff one more extension of time, but only for 30 days.

Plaintiff also requests a file-stamped copy of his motion. The statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment. 28 U.S.C. § 1915; *see also Haymes v. Smith*, 73 F.R.D. 572, 574 (W.D.N.Y.1976) (“The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant’s action.”) (citing *Tyler v. Lark*, 472 F.2d 1077, 1078 (8th Cir.1973)). If Plaintiff requires copies of court documents, he should contact the clerk’s office to determine the proper method of requesting and paying for copies.

IT IS ORDERED that Plaintiff’s third motion for extension of time (Filing 16) is granted in part and denied in part, as follows:

1. Plaintiff shall have an additional 30 days, until November 19, 2020, to file an amended complaint that states a claim upon which relief may be granted. **Failure to file an amended complaint within 30 days will result in the court dismissing this case without further notice to Plaintiff.**

2. In all other respects, Plaintiff’s motion is denied.

Dated this 23<sup>rd</sup> day of October, 2020.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge